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Tuesday, 10 December 2002, 10 a.m.

New York

President:	Ms. Barco	(Colombia)
Members:	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Tidjani
	China	Mr. Wang Yingfan
	France	Mr. De la Sablière
	Guinea	Mr. Traoré
	Ireland	Mr. Corr
	Mauritius	Mr. Jingree
	Mexico	Mr. Aguilar Zinser
	Norway	Mr. Helgesen
	Russian Federation	Mr. Karev
	Singapore	Ms. Lee
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Cunningham

Agenda

Protection of civilians in armed conflict

Report of the Secretary-General to the Security Council on the protection of civilians in armed conflict (S/2002/1300).

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02-72910 (E)

The meeting was called to order at 10.15 a.m.

Expression of welcome to the Deputy Minister for Foreign Affairs of Norway

The President (*spoke in Spanish*): At the outset of the meeting, I should like to acknowledge the presence at the Council table of the Deputy Minister for Foreign Affairs of Norway, His Excellency Mr. Vidar Helgesen. On behalf of the Council, I extend a warm welcome to him.

Adoption of the agenda

The agenda was adopted.

Protection of civilians in armed conflict

Report the Secretary-General on the protection of civilians in armed conflict (S/2002/1300)

The President (*spoke in Spanish*): I should like to inform the Council that I have received letters from the representatives of Argentina, Austria, Bangladesh, Burkina Faso, Cambodia, Canada, Chile, Denmark, Egypt, Indonesia, Israel, Japan, the Republic of Korea, Switzerland, Timor-Leste and Ukraine, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Cappagli (Argentina), Mr. Pfanzelter (Austria), Mr. Chowdhury (Bangladesh), Mr. Kafando (Burkina Faso), Mr. Ouch (Cambodia), Mr. Heinbecker (Canada), Mr. Valdés (Chile), Ms. Løj (Denmark), Mr. Aboul Gheit (Egypt), Mr. Hidayat (Indonesia), Mr. Jacob (Israel), Mr. Yamamoto (Japan), Mr. Sun (Republic of Korea), Mr. Staehelin (Switzerland), Mr. Guterres (Timor-Leste) and Mr. Kuchinsky (Ukraine) took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in Spanish*): In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Kenzo Oshima, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

It is so decided.

I invite Mr. Oshima to take a seat at the Council table.

In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Angelo Gnaedinger, Director-General of the International Committee of the Red Cross.

It is so decided.

I invite Mr. Gnaedinger to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2002/1300, which contains the report of the Secretary-General on the protection of civilians in armed conflict.

For my country, Colombia, and for me personally it is a great honour to preside over the Security Council on this International Human Rights Day. Colombia's activities in the United Nations, and especially on the six occasions when we have been a member of the Council, have been undertaken in the context of the most profound respect for the purposes and principles expressly established in the Charter, as well as for the precepts and rules of international law. My country has defended multilateralism as a fundamental tool with which the international community can achieve a more balanced and just international order. In this context, Colombia upholds the principal of shared responsibility in the discussion of global issues such as the worldwide problems of illicit drugs, terrorism and illegal trafficking in arms, munitions and explosives.

Colombia firmly believes that concern for the defence of life, liberty and independence, the preservation of human values against the use of force and the need to preserve international peace and

security, which were the origin of the United Nations, remains equally valid today.

I wish to take this opportunity to express once again, on behalf of President Alvaro Uribe, our gratitude to the Secretary-General, for his leadership, and to the Organization for the work that they are doing in promoting a better future for our people, who have suffered as no other the violence arising from the worldwide problem of illicit drugs and the crimes connected with them.

I welcome the presence of the Secretary-General, Mr. Kofi Annan, and I give him the floor.

The Secretary-General: It is a pleasure to see you in New York, Madame President. I am very grateful to you for chairing this important meeting on how to strengthen the protection of civilians in armed conflict. This question is among the most urgent and most important for this Council and for the United Nations as a whole as we seek to address the effects of conflict around the world.

It is urgent because civilians account for the vast majority of victims of armed conflicts today. Millions of them are directly targeted, displaced from their homes, subject to appalling human rights abuses and denied assistance in times of war. It is urgent because we know that strengthening the protection of civilians is a key to achieving a sustainable peace. We are now in a position to learn from our experiences and take effective, practical measures to strengthen their protection. The question is whether we show the will and the determination to make protection an inescapable duty for all parties in conflicts.

I know that Colombia is a country in which the protection of civilians remains a key challenge. The civilian toll has been terrible, and its effects can be seen in every aspect of civil life in Colombia. But Colombia is not alone in facing that challenge. No part of the world has been immune from this scourge.

It is therefore fitting to have this discussion on Human Rights Day — a day on which we reaffirm our commitment to the Universal Declaration of Human Rights and seek new ways of strengthening respect for individual rights and freedoms. There exists an unambiguous linkage between improving the security of the individual person and securing and sustaining peace and preventing violent conflict.

The work of the Security Council on this issue over the past three years has provided us with an all-important conceptual framework. We need to continue this work in formulating new policies, especially in today's fast-changing environment. But what we need most of all is practical action and a clear path from policy to implementation.

We need to move forward and develop a more systematic approach to this issue. We need to build a solid structure through which analysis and policy and an awareness of best practices will translate immediately into practical action that makes a difference in people's lives. In my latest report I have tried to show ways in which that may be done, and to encourage the Council to move decisively towards practical implementation.

Since my last report eighteen months ago we have seen many important developments, including the beginnings of a real, if fragile, transition from war to peace in a number of long-standing conflicts. The transitions must be sustained. In many of them, greater emphasis on the protection of civilians may prove decisive.

The protection of civilians does not stop with a ceasefire, but must continue in the immediate post-conflict phase. Ensuring that they receive needed humanitarian assistance, ending and reversing forced displacement, tackling the scourge of landmines and small arms and beginning processes of justice and reconciliation: these are not only worthy efforts in themselves, but they are also the building blocks for peace and recovery.

I thank the members of the Council for their important work in this area. Success in this endeavour is essential to achieving the most fundamental aim of this Organization: to save succeeding generations from the scourge of war.

The President (*spoke in Spanish*): I thank the Secretary-General for his kind words addressed to me.

The first speaker on my list is Mr. Kenzo Oshima, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

Mr. Oshima: I am grateful for the opportunity to address the Council once again on the issue of the protection of civilians in armed conflict.

There could be no more appropriate occasion to review the progress we have made and the challenges remaining in protecting the lives, rights and fundamental freedoms of civilians around the world than this day — International Human Rights Day. In this respect, I would like to take the opportunity to convey the special thanks of the High Commissioner for Human Rights, Sergio Vieira de Mello, for the holding of this open session on protection of civilian populations in armed conflict today, 10 December, World Human Rights Day. This is a clear recognition on the part of the Council that this is a central concern in both the human rights and the humanitarian fields.

Over the past three years, we have provided the Council and Member States with a solid framework of practical measures to protect and assist vulnerable populations caught in conflict situations. Much progress has been made in drawing attention to the plight of the millions of civilians who have died over the last decade alone as a result of armed conflict, the tens of millions who have been displaced by war and the countless numbers of women and children deprived of a future and a life free from fear.

We have raised awareness of the steps and measures that are needed to protect civilians more effectively, both physically and legally. We have succeeded in drawing greater attention to the complexity and interconnectedness of the challenges posed by the vulnerability of civilians in violent conflict. The Council itself has given greater priority to the protection of civilians and has on several occasions indicated its willingness to apply the findings and lessons enshrined in the Aide Memoire it adopted 15 March 2002 (S/PRST/2002/6, annex). The review of the mandates of the United Nations Mission in Sierra Leone (UNAMSIL) and, just recently, of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) for the eastern Democratic Republic of the Congo is only one example that demonstrates that there is no substitute for the willingness to act if we want to transcend the sheer endless cycles of violence.

Also, a number of the world's protracted conflicts — Afghanistan, Angola, Sudan, Sri Lanka and now Aceh in Indonesia — have started to subside or have entered a transitional period from conflict to peace. That is additional proof of the indispensability of engaging the parties to a conflict in a political process and of the responsibility to provide incentives for sustainable peace in which we do not lose sight of protection priorities. However, those encouraging developments must not make us complacent or make us slow down. The establishment of the culture of protection called for by the Secretary-General in his most recent report is still a distant goal.

Civilians remain the main casualties of conflict today. The violence and attacks in the eastern part of the Democratic Republic of the Congo, in Côte d'Ivoire, in the occupied Palestinian territory and in Burundi are only the most recent reminders of that fact. Daily, such violence and attacks take an unacceptable, high toll in human life and livelihood. Civilians are also in dire need of protection and assistance in many other crisis situations around the world.

While we continue to move on, jointly, implementing and mainstreaming the recommendations of the previous two reports of the Secretary-General (S/1999/957 and S/2001/331), we must not forget to bring new challenges to the Council's attention and to remind its member States of the many unresolved challenges that remain in protecting the vulnerable. In my view, the Security Council has been, and continues to be, an appropriate forum in which to discuss those issues.

This third report of the Secretary-General on the protection of civilians in armed conflict (S/2002/1300) identifies three significant new challenges to the international community, Member States and agencies alike: the gender-based violence in humanitarian crisis and conflict situations; the harmful consequences of the commercial exploitation of conflict; and the escalating threat of global terrorism. At the same time, the report reiterates three key findings of previous reports: the need for safe and unimpeded access to vulnerable populations; the importance of separating civilians from armed elements in camps for displaced persons; and the centrality of vigorously promoting respect for the rule of law in conflict areas.

In order to create a culture of protection, the States Members of the United Nations, as well as departments, funds and agencies, have worked collectively to devise the necessary policy and analytical framework for the protection of civilians in armed conflict. In addition, we have intensified our efforts to raise the level of awareness and understanding of Member States and agencies of the

multifaceted nature of protection and of the toolkit now available to us.

The aide-memoire adopted by the Council in March after an exemplary interactive process among Council members and United Nations departments and agencies is the centrepiece of those efforts. Serving as a checklist for Council deliberations, it also represents the Ten Commandments, as it were, of protection and is the backbone of our training exercises. Its first practical application came in July as the Security Council convened a workshop reviewing the peacekeeping mandate in Sierra Leone. Along the lines of the aide-memoire, participants reviewed the United Nations mandate in the Mano river region, measuring its operational effectiveness by its success in meeting the protection and assistance needs of civilians. We welcome that approach and look forward to additional and regular reviews of other peace operation efforts in areas of serious concern in terms of the protection of civilians.

Also, as indicated earlier, the Security Council has started to take into account the protection needs of civilians in its recent revision of the United Nations mandate in the Democratic Republic of the Congo. The resulting resolution, resolution 1445 (2002), affirmed an expansion and the location of additional resources, taking into account the Council's deep concern over the humanitarian situation throughout the country and, in particular, in the Ituri region. It called for full humanitarian access and guarantees of the physical security of humanitarian workers. That is the implementation we are calling for: the protection of civilians agenda in action.

Moreover, as suggested during my last briefing to the Council on this matter, in March, we have now held the first three of a series of regional workshops on the protection of civilians in armed conflict. The first one, held in South Africa, covered the Southern African region; the second, held in Japan, covered South-East Asia and the Pacific; and the third, recently held in the United Kingdom, covered Europe, including the Balkans and Russia. To date, some 30 countries have participated in those workshops. I wish to express my special thanks to the Governments of South Africa, Canada, Japan and the United Kingdom for their support in that respect.

Aiming specifically at Government officials, diplomats and military staff of Member States, the workshops are an important means of familiarizing participants with the basic concept and multiple facets of protection, of providing the tools for more effective physical and legal protection in practice, and of building a growing consensus and constituency around the concept of protection. The workshops specifically promote the use of diagnostic tools such as the aide-memoire to assess potential regional threats to peace and security and to identify ways to address them. In that way, the policy work that has been deliberated here in New York is making its way into political capitals and, ultimately, into the communities experiencing conflict. Those are the first steps on a long march towards establishing the culture of protection. The workshops will be followed by at least three more next year, in the Pacific Rim, Africa and Latin America. So far, I am very encouraged by the response of Member States to the workshops and by their commitment.

As we all know, progress in protecting civilians cannot be measured in workshops and policy discussions. What ultimately matters is the effect those efforts have on the concrete situation of civilians in the field. What matters is the implementation of the recommendations made in previous reports. I am aware that this is not an easy task and that it will require a continuing and persistent effort. However, it is the humanitarian imperative to persist. Great importance is therefore attached to the road map called for by the Security Council in June 2001. Clarity of responsibilities and tasks will help bring about expeditious implementation.

The initial road map that has been annexed to the third report of the Secretary-General is a preliminary version, prepared in consultation with the relevant United Nations departments, agencies and funds. It reorganizes recommendations from the previous two reports, on which the Council has agreed, by theme. It is intended to provide a broad initial picture. A more thorough process of detailed consultation with Member States, United Nations bodies, departments, funds and agencies is now needed. The ultimate objective is to produce a plan of action for implementation, with specific responsibilities assigned, and with time frames where appropriate.

Effective implementation of the agenda on the protection of civilians requires the continued engagement and support of Member States. I am extremely encouraged by the establishment this week of a support group of Member States, led by Norway,

to create a broader support base for the protection of civilians in armed conflict. The group aims to develop momentum and focus among Member States by creating a forum to promote conceptual, technical, financial and political support for the protection of civilians in armed conflict. It will also serve as a forum for information exchange between Member States and the Office for the Coordination of Humanitarian Affairs (OCHA) on behalf of the humanitarian community. I thank the Government of Norway for taking the lead in this very important initiative; we look forward to working closely with the members of the support group.

Secondly, within the Secretariat, the Secretary-General's Executive Committee on Humanitarian Affairs, the coordinating body of United Nations agencies dealing with humanitarian concerns, decided recently to create an implementation group for the protection of civilians. That group will spearhead the production of the plan of action. Moreover, it will liaise with the Member States' support group for the protection of civilians to which I have just referred, with donors and with members of the Security Council. It will also provide guidance and input for the regional workshops and will work to develop training materials and modules for United Nations staff and national authorities on the subject.

For its part, my office, OCHA, will continue to work with concerned departments and agencies to ensure that the United Nations system addresses the implementation of the protection of civilians agenda in a coordinated manner. We will also continue to engage with members of the Inter-Agency Standing Committee throughout this process.

A memorandum of understanding between the Department of Peacekeeping Operations (DPKO) and OCHA has now been signed, committing both departments to collaboration and the protection of civilians in peace operations, as called for in the Secretary-General's report. This collaborative approach has been exemplified by joint OCHA-DPKO briefings to the Security Council on the Mano river in July, which I mentioned earlier, and more recently on the eastern Democratic Republic of the Congo.

OCHA and the Department of Political Affairs (DPA) will also strengthen their collaboration to ensure the full integration of civilian protection issues in the planning and implementation of peace missions and peace processes, particularly during the period of transition from conflict to a sustainable peace.

In order to facilitate this greater interdepartmental cooperation, we will be conducting joint training for staff, at Headquarters and in the field, within OCHA, DPKO and DPA, and in peacekeeping operations. Our goal is to ensure that United Nations personnel and their national counterparts more systematically give priority to the humanitarian and protection needs of civilians in conflict.

In my comments today I have reviewed what I consider to be the three core tasks of the protection of civilians agenda, namely to advocate, to educate and to implement. To advocate and educate we are using the regional workshops, developing training materials and setting up collaborative planning mechanisms to mainstream the protection of civilians in the daily work of the United Nations. To implement this, we are systematically drawing up plans of action with our partners, and working alongside Member States to put new energy, political will and resources into this ongoing commitment. We must match momentum with action.

With the Council's agreement I will report back on our progress in six months, while the Secretary-General will report comprehensively to the Security Council every 18 months. When confronted with a challenge of this magnitude it is important to recognize that progress depends on incremental change. The steps we have taken so far will make a difference in awareness and in the commitment to provide better protection to civilians.

The practical actions outlined in the report will help to address some of the most immediate threats challenging civilians today. We must systematically build awareness, responsibility and support among Governments and armed non-State actors to ensure that where there is conflict there is proper regard for the protection of civilians.

The President (*spoke in Spanish*): I thank Mr. Oshima for the kind words he addressed to me.

The next speaker on my list is Mr. Angelo Gnaedinger, Director-General of the International Committee of the Red Cross, on whom I now call.

Mr. Gnaedinger (*spoke in French*): Allow me first to thank you, Madam President, for having invited the International Committee of the Red Cross (ICRC)

to state its concerns about the important item on the Council's agenda, the protection of civilians in armed conflict.

The ICRC broadly agrees with the alarming analysis provided by the Secretary-General in his three reports on the protection of civilians in armed conflict (S/1999/957, S/2001/331 and S/2002/1300). Through our some 10,000 staff in 80 delegations and missions, the ICRC, sadly, is in an excellent position to attest to the unspeakable suffering inflicted during armed conflicts on civilian populations that are often the prime targets of these conflicts. This suffering includes acts of genocide, ethnic cleansing, forced displacements, indiscriminate attacks committed by regular armies or other armed elements, terrorist acts, starving populations, women who have fallen victim to sexual violence, child soldiers, families that have been separated without news of their loved ones and forced disappearances.

Yet such situations are precisely the subject of international humanitarian law, one of whose pillars is the protection of civilian populations. With regard to methods of combat, the key principle of the entire body of humanitarian law is indeed that of distinction. This principle prohibits any attack against civilians and stipulates that at all times the parties to a conflict must draw a distinction between civilians and combatants. Combatants alone may be the target of attack.

This same principle applies also to the means of combat and prohibits the use of weapons that strike indiscriminately. Furthermore, when civilians are in the hands of a party to a conflict, they must be treated humanely. Yet humanitarian organizations are working tirelessly to try to provide at least minimum protection of civilians in armed conflict.

Specifically with regard to the ICRC, such protection activities are the very essence of the mandate conferred to it by the 190 States parties to the Geneva Conventions. For the ICRC, the concept of protection encompasses all activities that seek to ensure full respect for the rights of the individual which are granted by the spirit and the letter of the body of applicable law, meaning all activities that would seek to prevent, halt or limit the effects of violations of the law.

The ICRC strives to protect civilians in armed conflict by intervening directly with all parties, whatever the cause they claim to defend. This means that, of necessity, we must engage in dialogue with a great variety of actors, including non-State actors. Such an approach is essential when it is a question of gaining access to persons protected by the law, regardless of which authority controls them. Not to do this would be tantamount to discriminating between "good" and "bad" victims of conflicts, and to denying some of them relief and protection.

The operational philosophy of the ICRC is to try, in a comprehensive and consistent way, to respond to the needs of all civilian populations, giving priority to those needs which are most urgent, according to the principle of impartiality. That approach means that we focus on particularly vulnerable categories, including displaced persons, children, missing persons and their families, but without losing sight of the big humanitarian picture.

Why are these populations — protected by a body of law which has been universally ratified, with humanitarian organizations working to guarantee humane treatment for civilians — subjected to so much suffering? Is the law not properly adapted? We think that it is. It must be noted that the great suffering that civilians endure on a daily basis is already the subject of those legally binding rules whose essential principles we have referred to. Humanitarian law, therefore, remains an essential frame of reference to guarantee effective protection and assistance to civilian populations that have been trapped in conflicts. Those norms, contained in the Geneva Conventions and the additional Protocols, are a consistent whole that clearly establish a right to protection and assistance.

Furthermore, far from being static, humanitarian law has constantly evolved over time. Many instruments have supplemented and strengthened the 1949 Geneva Conventions to prohibit or restrict the use of certain weapons or to establish legal institutions to punish serious violations of humanitarian law. For the ICRC, recalling that evolution in no way signifies that the law cannot be improved.

This year, which is the twenty-fifth anniversary of the additional Protocols to the Geneva Conventions, the ICRC has embarked on an important discussion about the appropriateness of humanitarian law with regard to new types of conflict. The ICRC will share the outcome of that discussion with States at the International Conference of the Red Cross and Red Crescent Movement in December 2003.

Without ignoring the possibility of improving the level of protection provided by existing law, the ICRC believes that the greatest challenge now is not so much to develop new norms as to ensure greater compliance with existing law.

Is it the humanitarian organizations that are not up to the task? Given the complexity of so many situations of armed conflict, as well as the magnitude and the diversity of humanitarian needs, it is not possible for a single organization to respond adequately. Coordination has therefore become essential to make humanitarian action effective for victims. The ICRC has integrated it into its operational strategy. It, therefore, coordinates its approaches at the thematic and operational levels with other humanitarian actors through various structures and mechanisms, while respecting the mandates, principles and operational methods of each organization.

Turning more specifically to the question of protection, the ICRC tries to promote a harmonized approach by humanitarian actors. Since 1996, it has undertaken the initiative of organizing four workshops on the problems associated with the protection of victims of armed conflict in order to try to improve the effectiveness of humanitarian and human rights organizations. We must agree on the concept of protection, as understood by humanitarian law, human rights and the law of refugees.

The effectiveness of humanitarian organizations can definitely be improved. The effectiveness of humanitarian action, however, can never be a substitute for political inaction. Humanitarian action is ad hoc in nature, working to relieve the consequences of conflict. Political action, working upstream, seeks to prevent those conflicts and, later, to resolve them, opening the way to reconstruction and development.

Allow me to conclude with two observations. If law exists and remains relevant, it then follows that the major challenge for us is applying it. That is primarily the responsibility of States. The ICRC can only encourage them to promote a culture of respect. It is not only incumbent on the parties to the conflict, but it is also incumbent on all members of the international community, which, pursuant to the Geneva Conventions, have undertaken to respect them and to ensure respect for them in all circumstances.

That involves the need to punish violations. To borrow the language used by a famous philosopher, disregarding the crime means abolishing the law. One could add to that maxim that disregarding the crime is also oneself being guilty of denial of justice to victims of violence, war crimes and crimes against humanity. In view of that, the creation of the International Criminal Court (ICC) is a major advance in an environment that until now has been dominated by impunity. However, that dimension can only supplement the legislative and institutional work done at the national level.

Finally, let us stress that that effort must be accompanied by preventive measures. Indeed, if harsher punishment for serious violations of humanitarian law can have a decided deterrent effect and may therefore prevent violations of humanitarian law, respect for that law must be built before crises emerge, during times of peace, through mobilizing and informing public opinion each time the rights of victims are seriously disregarded or flouted, through humanitarian education programmes in schools, by teaching humanitarian law at universities and by providing proper instruction at military training centres. I believe that it is very important that we finally realize that providing protection for victims of war cannot just be reduced to an emergency strategy, which we know is often doomed to failure.

Mr. Helgesen (Norway): My delegation aligns itself with the statement to be made by Austria on behalf of the Human Security Network later in this debate. Allow me, however, to make the following remarks in my national capacity.

I would like to start by expressing my gratitude for the presence here today of the Secretary-General and the Director-General of the International Committee of the Red Cross (ICRC). Their contribution to today's debate is very much appreciated. I would also like to thank Under-Secretary-General Oshima for his introduction of the report of the Secretary-General (S/2002/1300).

While serving on the Security Council, Norway has taken a keen interest in the issue of the protection of civilians in armed conflict. Since the first report on this issue by the Secretary-General in 1999, a comprehensive framework for action has been established. We also very much welcome achievements made at the field level in various locations. Still, the main challenge before us is to ensure proper

implementation and thereby the effective protection of the millions of civilians affected by conflict every day.

In that context, we should recall that this is not an agenda item for the Security Council alone. Various United Nations bodies, international agencies, international governmental organizations, non-governmental organizations and Member States must all live up to their respective responsibilities so that the efficient protection of civilians can be ensured. As a means of establishing broader support among Member States, my delegation is currently in the process of establishing a support group here in New York for the protection of civilians, which we hope will contribute towards that goal.

Allow me also at this stage to recall that the most vulnerable part of the civilian population is children. In too many conflicts, children are not only affected by war, they are made combatants. One of the conflicts in which the recruitment of underage combatants has been a problem is the Sri Lankan conflict.

I am pleased to inform the Council that at the third session of the Sri Lanka peace talks in Oslo last week, the parties underlined that children belong with their families or other custodians and not in the workplace, whether civilian or military. The Liberation Tigers of Tamil Eelam will now engage in a partnership with UNICEF to draw up an action plan for restoring normalcy to the lives of children, including rehabilitation of child soldiers and bringing a halt to recruitment of underage combatants.

Norway welcomes the third report of the Secretary General (S/2002/1300). We note with particular interest its outline in terms of strategies to address the crucial challenges of access, separation and the rule of law and justice. Moreover, the introduction of new issues to this agenda, such as terrorism and sexual exploitation, is most timely and appropriate.

Lack of humanitarian access to vulnerable populations continues to be a major problem. We simply cannot accept that parties to a conflict, including non-State actors, blatantly ignore basic international standards in this regard. We concur with the Secretary-General's recommendation relating to the need for coordinated efforts by humanitarian and United Nations agencies with regard to access negotiations. We also support the option of framework agreements being further elaborated and implemented. Finally, we share the grave concerns expressed regarding the denial of humanitarian access by means of targeting humanitarian workers or civilians. Such acts should be recognized as war crimes and dealt with accordingly.

Slowly, and with increasing momentum, the international community is rising to the challenge of protecting individuals and human dignity in armed conflicts, bringing to justice the perpetrators of atrocities. But first and foremost, every State has the obligation and responsibility to protect their inhabitants in conflict situations. The entry into force of the International Criminal Court, on 1 July this year, is a historic turning point for humanitarian law and for the protection of civilians in armed conflict. I wish to reiterate Norway's full and longstanding commitment to the establishment of a strong and truly credible Court, with the broadest possible support.

We must vigorously uphold the agreed standards of protection in crises, war and strife. Those who are close to populations in need have a particular responsibility to uphold the principles and moral foundation on which the United Nations is founded. The blue berets and the blue and white United Nations flag must continue to symbolize freedom, safety and trust. We cannot tolerate any kind of exploitation of vulnerable, war-affected populations. Therefore, we welcome the serious and engaged response and corresponding recommendations by the Secretary-General to incidents of sexual abuse and exploitation by humanitarian personnel and peacekeepers.

Allow me now to turn to some initiatives aimed particularly at promoting implementation of this agenda.

The aide-memoire on protection of civilians, adopted by the Council in March this year, has proved to be a useful tool in terms of promoting implementation and increased resolve with regard to protection issues. However, in order for it to be useful over time, the aide-memoire cannot be a static instrument. It is our view that it should be updated at yearly intervals to reflect new developments and thereby contribute towards improved compliance with protection standards. We put this idea forward for the consideration of the Security Council.

We very much support the idea of further reviews of existing Security Council mandates based on the aide-memoire. In our view, the exercise conducted on the United Nations Mission in Sierra Leone, under the

United Kingdom presidency in July this year, was an excellent opportunity for the Council to reflect on protection challenges in a specific operation, as well as on ways and means to address them. Moreover, further reviews of this kind will also serve the important purpose of enhancing the Council's awareness and capacity to address protection issues in general.

The road map is another tool which can facilitate further implementation of protection measures among the different actors involved. We acknowledge that the version annexed to the current report is provisional, and we encourage the Office for the Coordination of Humanitarian Affairs (OCHA) to continue its good work towards a road map which will further clarify responsibilities, enhance cooperation and facilitate implementation.

Increased cooperation and liaison between different agencies and departments is crucial for the further advancement of the protection agenda. In this regard, we welcome current cooperation between the Department of Peacekeeping Operations (DPKO), the Department of Political Affairs and OCHA, and we support and encourage continued efforts towards implementation of the so-called Standard Operating Procedures. That will, above all, facilitate DPKO's incorporation of protection strategies in mission planning and in training of peacekeepers.

Finally, I would like to commend OCHA for its active engagement in coordinating regional workshops in which States and regional bodies can address protection issues. This is a critical undertaking in terms of disseminating and promoting the protection of civilians, as well as in terms of gaining experience from national and regional initiatives and challenges. If protection needs are acknowledged and properly addressed by Member States of the United Nations, we will have come a long way in addressing the plight of all those civilians, men, women, and children who are victims of conflict and distress.

Mr. Tafrov (Bulgaria) (*spoke in Spanish*): I would like to express to the President that I am grateful for her presence in New York and grateful to the Colombian delegation for organizing this meeting on a problem so important and urgent, as the Secretary-General has said.

(*spoke in French*)

I would also like to thank Under-Secretary-General Mr. Kenzo Oshima for his presentation of the excellent report of the Secretary-General and the Director-General of the International Committee of the Red Cross, Mr. Angelo Gnaedinger, for his extremely interesting briefing.

As a country associated with the European Union, Bulgaria fully supports the statement that will be made shortly by the Danish presidency of the European Union.

Today, we are observing Human Rights Day and commemorate the creation of the Universal Declaration of Human Rights. This day is an opportunity to reflect on what we have accomplished in this area and to concentrate all our efforts on finding the resources to fill the gaps remaining, including — unfortunately — in the area of the protection of civilians in armed conflict.

Civilians constitute the majority of war victims in many parts of the world. War is an everyday reality for millions of people. Even as we speak, men women and children are being killed, mutilated, raped, torn from their lands, imprisoned and tortured. The report of the Secretary-General (S/2002/1300) clearly and quite rightly indicates that over the last decade, more than 2.5 million people have died as a direct consequence of conflicts and that more than 31 million people have been displaced and uprooted. Decisive, timely measures are needed to put an end to the suffering of innocent victims of war, especially the great number of women and children.

Bulgaria recognizes the fundamental and irreplaceable value of the aide-memoire of 15 March 2002. The objectives for protecting civilians that it contains offer a real opportunity for the Security Council to ensure that its mandates in conform with the requirements of the humanitarian community.

We believe that the aide-memoire and the road map annexed to the present report will enable us to determine whether existing peacekeeping operations can effectively protect civilians.

In our opinion, it would be useful to conduct periodic reviews on the impact on civilian populations of mandates created by the Security Council.

The workshop on the situation in the Mano River region, held on 18 July 2002, helped us to assess the effectiveness of the mandate of the United Nations Mission in Sierra Leone. I thank the delegation of the United Kingdom for successfully carrying out that exercise.

The progress made in several current United Nations peacekeeping operations is in large part due to the presence of advisers on issues concerning women and children. However, we still have concerns. The impact of insecurity and the lack of access for humanitarian organizations are obvious in the Democratic Republic of the Congo, Liberia, Afghanistan and elsewhere.

The culture of prevention has not yet been fully mainstreamed. The protection of civilians would be better served if we could act further upstream. The Security Council ought not to intervene only when violent incidents take place on a large scale. It should act proactively and collectively before these conflicts spread.

The entry into force of the Rome Statute of the International Criminal Court on 1 July 2002 is a beacon of hope that finally we will be able to put an end to war crimes and crimes against humanity and, in particular, to end impunity. It is shocking to see how widespread is the impunity that has accompanied flagrant violations of human rights, in particular against civilians, in time of war. Bulgaria is determined to work for the success of the Court, which we feel is a turning point in the history of humanity's efforts to prevent war atrocities.

Observation, monitoring and verification of respect for human rights were always important aspects of the implementation of civilian protection programmes. The Department of Political Affairs, the Office for the Coordination of Humanitarian Affairs, the Office of the United Nations High Commissioner for Human Rights and other United Nations bodies that deal with protection should cooperate more closely to see to it that peace agreements that are negotiated have very broad scope and, within a political context, encompass humanitarian principles and priorities relating to human rights.

The President (*spoke in Spanish*): I thank the representative of Bulgaria for the kind words he addressed to me in Spanish.

Mr. Aguilar Zinser (Mexico) (*spoke in Spanish*): My delegation is gratified that this meeting of the Security Council today is presided over by a Latin American woman, the Minister for Foreign Affairs of the sisterly Republic of Colombia.

On behalf of Mexico, I would like to thank the Secretary-General for introducing his report on protection of civilians in armed conflict (S/2002/1300), which is undoubtedly a document on the basis of which the Security Council and the United Nations in general must develop their activities to protect human rights in conflict situations.

We would also like to thank Mr. Kenzo Oshima for having shared with the Security Council his perspective on the protection of civilians in armed conflict. Our thanks go also, in particular, to the Director-General of the International Committee of the Red Cross (ICRC).

Norway has played a very important role in the Security Council deliberations on the question of civilians in armed conflict. It has focused the Council's attention on this matter, and it has set up a structure that we will not be able to ignore in the future. We assure the delegation of Norway that Mexico, with other Security Council members, will continue to stress this item so that we can expand our actions to protect civilians and to protect human rights in conflict situations. Here, we welcome the presence of the Deputy Minister for Foreign Affairs of Norway, Mr. Vidar Helgesen.

Mexico places great importance on the peaceful settlement of disputes. Aware of the harmful effects of conflicts, my country has favoured dialogue, mediation and understanding above confrontation. Taking into account that the majority of victims are non-combatant civilians, my country reiterates the validity of international humanitarian law, and in particular the obligations of parties to conflicts.

The United Nations must continue to improve the measures it takes within the framework of its peacekeeping operations to protect civilians. In this effort, the provisional road map formulated by the Secretary-General in the report before us today and the aide-memoire developed by the Security Council (S/PRST/2002/6, annex) are steps in the right direction for the Organization to be more effective in its task of protecting human life.

We are encouraged by the comments in the Secretary-General's report relating to strengthening cooperation between the Department of Peacekeeping Operations (DPKO) and the Office for the Coordination of Humanitarian Affairs (OCHA). This should lead to the development of a final road map and should continue with the review and updating of the aide-memoire in the light of the experience that we have acquired, as my country has said in the deliberations that have taken place on this issue in the Security Council.

With respect to access to vulnerable populations, Mexico supports the measures proposed in the report, since we share the opinion that the basic rights of civilian populations cannot be subordinated to supposed or real security threats. We note the involvement in this effort of humanitarian organizations, including non-governmental organizations (NGOs), which are very often the only presence of the international community in conflict areas. For this reason, Mexico supports the proposal that concrete measures be adopted in understandings with the parties, which would enable full access by humanitarian organizations and non-governmental organizations during and after a conflict.

We are concerned at, and take note of, the increasing number of attacks targeting the ICRC and humanitarian and non-governmental organizations. Weakening the security of such organizations makes the conflicts even more acute and places civilian populations in situations of far greater vulnerability. Therefore, our Organization must adopt concrete and specific measures to ensure the proper protection, as well as unrestricted access to conflict areas by humanitarian organizations, including the ICRC and non-governmental organizations.

My country also feels that we should also make greater use of early warning mechanisms, so that we can address a crisis or situation of tension before it turns into a conflict. In that connection, we would like to highlight the fundamental role of the Security Council pursuant to the Charter and the support that the Secretary-General can provide on the basis of the powers conferred on him in Article 99 of the Charter. States and international organizations must also be ready to cooperate with the United Nations.

The measures proposed by the Secretary-General with regard to the separation of civilians and armed elements are acceptable. This issue must be considered in all conflicts examined by the Security Council. Likewise, and in the light of the need for host countries to protect civilians in refugee camps, we must take into account the recommendations of the Office of the United Nations High Commissioner for Refugees (UNHCR) on the protection programme and on respect for the civilian and humanitarian nature of the right to asylum. But these efforts must be accompanied by measures that would bring to justice those responsible for violations of international humanitarian law, in accordance with national legislation and with international law itself. In that regard, we cannot be too emphatic or support too resolutely the concepts expressed here by the Director General of the International Committee of the Red Cross. Measures aimed at confidence-building; at the disarmament, demobilization, reintegration and repatriation or resettlement of combatants; and at consolidating the rule of law are also important.

The creation of the International Criminal Court represents an unprecedented advance in the fight against impunity. That body will complement the efforts of national jurisdictions to bring to justice those who commit crimes against humanity. The Court's existence is an incentive for the strengthening of national systems, but it is also an effective mechanism to deal with such crimes when national judicial structures have disappeared as a result of conflicts. We are sure that the Court will be a fundamental tool in eradicating the culture of impunity that has characterized the twentieth century.

Special attention should be devoted to economic exploitation as a cause and an effect of armed conflicts. We have taken note of the Secretary-General's invitation to the Security Council to continue to study measures that will make it possible to prevent the looting of a country's resources in a conflict situation, whether by armed groups, companies, individuals or other States. We must continue to analyse the legal exploitation of natural resources and other wealth, as well as other aspects related to the commercial exploitation of conflicts. To that end, the exercises carried out in the cases of Liberia and the Democratic Republic of the Congo constitute important bases that can be developed further in the course of such studies.

In this discussion, we must consider the socio-economic aspects of transition and the just distribution of wealth, as well as regional economic integration and

the legitimate and transparent development of trade. Punitive measures do not suffice. We must promote an environment in which combatants and those who benefit from illegal exploitation find incentives to demobilize and to stop their illicit activities. When socio-economic expectations are not met, political advances are not enough to prevent the resurgence of violence.

The increase in terrorism and the commission of terrorist acts in armed conflicts pose a grave threat to civilians. We energetically condemn all acts, methods and practices of terrorism as criminal and unjustifiable acts, regardless of their motivation, in all of their forms and manifestations and regardless of who commits them or whether they are committed in times of peace or in conflict situations. Terrorists make innocent civilians targets of their ideological or political actions and the objects of their armed attacks.

Furthermore, and aware that States must respond to terrorist acts while protecting and respecting the human rights of all persons — including terrorists — Mexico presented, within the framework of the current General Assembly session, a draft resolution on the protection of human rights and fundamental freedoms in the fight against terrorism, which was, fortunately, adopted by consensus, given the fact that all States agree on that principle. In order to fight terrorism, we must do so armed with law and reason; to do otherwise is to undermine the foundations of our own civilization. Therefore, we invite the Security Council, in particular the Counter-Terrorism Committee, to bear that resolution in mind as it carries out its work.

When we speak of civilian victims in armed conflict, of refugees or of internally displaced persons, we are really speaking mostly of women, children and the elderly, of violations or abuses, of sexual servitude and of the forced recruitment of children. Crimes whose victims are women and children in armed conflicts are certainly crimes against humanity. The Security Council is obligated, in the light of the abundant evidence of such crimes, to include in its actions aimed at protecting international peace and security concrete measures and effective provisions to protect women, children and the elderly in order to effectively promote a gender perspective in all peacekeeping operations that the Council authorizes.

In that regard, Mexico commends the Secretary-General for the swift and energetic response made to the reports of sexual exploitation and abuse by humanitarian personnel. We support the basic principles formulated by the Inter-Agency Standing Committee, which represent minimum standards of behaviour for all United Nations civilian personnel, as well as the establishment of clear procedures to file reports. Now, we must strengthen measures so that other associated parties — such as civilian police and military forces who work under United Nations direction, as well as non-governmental organizations — observe appropriate and scrupulous behaviour in their dealings with civilians. Humanitarian personnel are the ultimate repository of confidence and hope for civilians in armed conflict; therefore, in the case of sexual exploitation and abuse, even one case is too much.

Mexico reaffirms its support for the adoption of measures aimed at strengthening the protection of civilians in armed conflict and hopes that the Secretary-General's report (S/2002/1300) will lead to a careful analysis of its recommendations — in particular the guide to protect civilians — and encourages all members of the international community to join their efforts in this collective endeavour.

In conclusion, my country welcomes the organization by the Office for the Coordination of Humanitarian Affairs of regional seminars on fundamental concepts related to the protection of civilians. We should like to express our particular and active interest in the seminar that is being organized for the Latin American and Caribbean region.

The President (*spoke in Spanish*): I thank the representative of Mexico for the kind words that he addressed to me.

Mr. Corr (Ireland): On behalf of my delegation, I should like to thank you, Madam President, for your attendance at this morning's important meeting of the Security Council. I also wish to welcome the Deputy Minister for Foreign Affairs of Norway and to thank him for Norway's work in the area of the protection of civilians in armed conflict. In addition, I wish to thank Under-Secretary-General Oshima and Director General Gnaedinger of the International Committee of the Red Cross for their important statements this morning.

We in the United Nations have made considerable progress in recent years in addressing a moral and political challenge of the first magnitude: the protection of civilians in armed conflict. We still have a

long distance to travel. And we must begin, as the Secretary-General emphasized in his statement this morning, with a commitment of political will, here in the Security Council and by all Member States. The basis for progress has to be awareness and understanding by Member States of their obligations and responsibilities in that area.

Ireland fully associates itself with the statement that will be made later in the debate by the representative of Denmark on behalf of the European Union. We also associate ourselves with the statement that Austria will make on behalf of the Human Security Network.

Statistics of life and death — arbitrary life or death — can mask realities of very dark dimensions. Two-and-a-half million civilians have been killed directly in conflict situations over the past decade. Over 30 million have been uprooted or displaced. Countless others have died or suffered from malnutrition or disease as a consequence of conflict. Each was an individual human being with a right to live. The loss of each was a violation of the moral imperative described by Kant — that human beings must be treated not as means but as ends in themselves. That is a doctrine of moral universality that is at the core of everything that the United Nations stands for.

It is right today to make a clear political point: the catastrophes of two world wars that devastated Europe and the world in the first half of the twentieth century and led to the loss of millions of civilian lives led to actions that reshaped the world, including the founding of the United Nations. Today we should show the same determination with regard to the loss of millions of lives and the terrible humanitarian suffering resulting from conflicts that have ravaged much of Africa, as well as other parts of the world, in recent years.

Here at the United Nations we are making some real progress at an institutional level. This includes the aide-memoire developed by the Office for the Coordination of Humanitarian Affairs (OCHA) on key civilian protection issues; closer cooperation between Secretariat departments and OCHA; regular and systematic briefings by OCHA of the Security Council on civilian and humanitarian issues, including recently on the situation in Ituri in the Democratic Republic of the Congo; and the development of the road map for the protection of civilians, a provisional version of which is attached to the Secretary-General's report (S/2002/1300). All these are valuable steps. We now need to further strengthen cooperation within the United Nations family, especially the Council, the General Assembly and the Economic and Social Council. We need to build on the positive steps already taken, including strongly promoting the use of the aide-memoire and the road map throughout the United Nations system and by Member States.

There is now a moment of real opportunity, as many conflicts — such as those in Angola, the Democratic Republic of the Congo, Burundi, Afghanistan and Sierra Leone — have either ended or are, hopefully, about to end. All of these conflicts point to what we must now do if, at a time of relative hope, we can summon the necessary political will and determination. And that is to regard the protection of civilians in armed conflict as an imperative to shape the work of the United Nations in the years to come. Unless we do so, safeguarding international peace and security will rest on shallow foundations and we will have failed people around the world who look to the United Nations when no other hope exists for them. This political will must also be, literally, political. We must strongly work, for example, with the African Union and support the New Partnership for Africa's Development (NEPAD) in building new hope in Africa.

In his report, the Secretary-General focused on central themes that must shape this work. Ireland warmly endorses all of the recommendations made by the Secretary-General. Access to vulnerable populations is an indispensable and absolute requirement for the protection of civilians. The United Nations and other humanitarian agencies, including non-governmental organizations, must have access to those in need. They must have full freedom to negotiate access issues with non-State actors. As the Secretary-General points out, significant bilateral pressure on warring parties by Security Council members and others to obtain access can play a vital role. The aide-memoire is a valuable instrument for structuring and shaping negotiations on access and related issues that need to be addressed.

The grave humanitarian situation in the occupied Palestinian territories, highlighted by Ms. Bertini in her report last August, underscores all of these themes. It is also right today to pause and mourn the recent loss of three brave staff members of the United Nations Relief and Works Agency for Palestine Refugees in the Near

East, while serving others in humanitarian work: Ian Hook, Osama Hassan Tahrawi and Ahlam Riziq Kandil. The role of protectors of civilians in conflict bears special honour; its violation deserves special dishonour.

On the separation of civilians and armed elements, the Secretary-General points to successful relocation exercises over the past year, such as in the Democratic Republic of the Congo. My Delegation welcomes the Office of the United Nations High Commissioner for Refugees Agenda for Protection proposals and the practical steps now being considered by United Nations agencies. These include issues relating to the location of refugee camps and problems deriving from the intermingling of combatants and civilians. The suggestion of the Secretary-General of a roster of experts who could be seconded by Governments to assist in overcoming a lack of resources and capacity by States in conflict areas is to be welcomed. So is the proposal for the rapid deployment of United Nations multidisciplinary assessment teams to assist and support the separation of combatants and civilians.

The restoration or establishment of the rule of law, justice and reconciliation is a foundation for assured protection of civilians in situations of conflict and when conflict is ending. The entry into force last July of the Rome Statute of the International Criminal Court represents an important deterrent against war crimes, crimes against humanity and genocide. An important light has been lit in the fight for justice for innocent people who suffer injustice. Such injustice is not the work of fate, it is the result of acts of human beings against other human beings.

At the conclusion of his report, the Secretary-General highlights three themes — "global issues", as he rightly describes them — that must especially shape our work in the protection of civilians.

Gender-based violence in humanitarian and conflict situations is an issue of the utmost gravity and seriousness. Such abuse is endemic in situations of mass displacement and conflict. We must continue to place this issue at the forefront of our agenda, including full implementation of resolution 1325 (2000), and build on progress already achieved, not least in the mandates of United Nations field operations.

Secondly, the commercial exploitation of resources has led to devastating consequences for civilians. The Democratic Republic of the Congo is an especially graphic example, as we know from the recent report of the Panel of Experts. Here, I would like to add my delegation's strong view about the need for early action and follow-up by the Council on the Panel report.

Finally, the rise of terrorism has added a new set of challenges to the work of protecting civilians. Here, as we in the international community pursue the work of combating terrorism, let me simply wholeheartedly endorse the words of the Secretary-General in paragraph 62 of the report: "to pursue security at the expense of human rights will ultimately be self-defeating".

There is one final point that I would like to make. The question of adequate funding for United Nations agencies involved in the protection of civilians — Agencies dealing with food, refugee protection and shelter — is an immediate practical issue that we should not ignore. Yet all too often United Nations country appeals — even in dire situations — remain partially or even substantially under-funded. We as Member States need to look at this as an indication of seriousness of purpose. The present situation is haphazard and can be excessively prone to media focus on the last atrocity, rather than the considered views of OCHA or the Secretary-General. This is something we as Member States must consider urgently if we are serious about conflict prevention, protecting the rights of civilians where they are in peril, and addressing dire needs, whether or not they are at the centre of world attention.

In a speech during the Second World War, Albert Camus spoke of the innocent who suffer and who need help and, in words of challenge and humanism, asked, "if you will not help us to do this, then who will?" People around the world today ask this of Member States here in the United Nations. We owe them an answer and we owe them action.

The President: I thank the representative of Ireland for his kind words addressed to me.

Mr. Traoré (Guinea) (*spoke in French*): I should like to welcome you, Madam, and to express my delegation's satisfaction at seeing you preside over this meeting. I should like also to welcome the Deputy Minister for Foreign Affairs of Norway. My delegation

would like also to thank the Secretary-General for his introductory statement and the Under-Secretary-General for Humanitarian Affairs for his statement. We thank also the Director General of the International Committee of the Red Cross for his statement.

The international community, and in particular the United Nations, has long been concerned at the situation of civilians in armed conflict. This concern has been exacerbated by the changing nature of inter-State conflicts.

Aware of their responsibility for the maintenance of international peace and security, world leaders made a commitment, through the Millennium Declaration of September 2000, to strengthen the protection of civilians in complex emergency situations. The Security Council held several debates on the topic and adopted resolutions and declarations.

On this International Human Rights Day, my delegation welcomes the submission of the third report, which stresses in particular the three key measures on guaranteeing access to vulnerable populations, the separation of civilians from armed elements, the restoration of the rule of law and the promotion of national reconciliation. The report also notes the existence of three emerging problems: the exacerbation of gender-based violence, the exploitation of conflicts for commercial purposes and the rise of terrorism in situations of armed conflict.

My delegation supports the 21 practical measures contained in the report under consideration, which, in many ways, strengthen previous recommendations. However, it must be emphasized that questions related to women and children, among others, should be considered within the framework of a comprehensive approach to the protection of civilians in armed conflict.

With respect to the key measures, it is desirable to consider the establishment of a multidisciplinary group that would carry out a comprehensive study of all the recommendations in order to integrate them into a more functional and uniform framework.

Regarding the emerging problems, we welcome the work that has been done by the Office for the Coordination of Humanitarian Affairs on the question of sexual exploitation in refugee camps. That study should be widely disseminated in order to allow the various actors to take the necessary measures.

My delegation is also concerned by the questions of the commercial exploitation of conflict and terrorism. We agree with the need to take punitive measures, although, to be effective, these must apply to all individuals and entities involved in this exploitation.

We believe that the question of terrorism seriously complicates the task of dealing with armed conflict. We would like it to be the subject of an in-depth study by the Counter-Terrorism Committee, which could, in conjunction with the Policy Working Group on the United Nations and Terrorism, make useful recommendations.

We welcome the finalization of the road map for the protection of civilians, which takes into account the various aspects of the management of affected populations before, during and after conflicts. This document, along with the aide-memoire adopted last March, are key instruments in understanding questions related to the protection of civilians in armed conflict.

As we have seen, the efforts of the United Nations have made it possible to establish points of reference for norms relating to the protection of civilians in armed conflict. Today, our duty is effectively to implement these norms. In this respect, the General Assembly, the Security Council, the Economic and Social Council and the Secretariat all have a decisive role to play.

We would like also to welcome the holding by the Office for the Coordination of Humanitarian Affairs of workshops in South Africa and in Japan, which made it possible to stress the importance of regional action, the need to involve regional institutions in the protection of civilians, and the need to raise the awareness of officials and of leaders of civil society. We would like to encourage the holding of such workshops in other regions.

We support the United Nations agencies in their efforts to draw up a manual on the terms of engagement with armed groups in order to facilitate coordination and to make negotiations more effective. The same applies to the elaboration by the Office of the High Commissioner for Refugees, in cooperation with the Member States, other United Nations agencies and the International Committee of the Red Cross, of specific measures relating to the disarmament of armed elements, as well as the identification, separation and internment of combatants.

We also welcome the recent publication by the Office of the High Commissioner for Human Rights of the Agenda for Protection, which contains a wide range of measures designed to preserve the humanitarian nature of asylum.

We are also pleased at the outcome of the work of the Inter-Agency Standing Committee, which is charged with developing comprehensive strategies concerning the rule of law in the context of peacekeeping operations, whose final report and recommendations were approved at the end of last September.

Furthermore, we note with satisfaction that the United Nations, acting in conjunction with a number of partners from the humanitarian community, is already implementing several preventive and corrective measures designed to strengthen and enhance the protection and treatment of vulnerable persons caught up in complex emergency situations.

I cannot conclude without reiterating that the best way to protect civilians in armed conflict is to prevent such conflicts in the first place and to set up an effective and coherent peace-building programme. Within this framework, the Security Council, which has the primary responsibility for the maintenance of international peace and security, must further stress conflict prevention and vigorously support efforts made towards that end.

The President (*spoke in Spanish*): I thank the representative of Guinea for the kind words he addressed to me.

Mr. De la Sablière (France) (*spoke in French*): I wish at the outset warmly to thank the Colombian presidency, through you, Madam, for having taken the initiative of convening today's public debate on the protection of civilians in armed conflict. I should like also to thank the Secretary-General for his very detailed report, which provides us with real substance for our discussions.

The presence of the Director General of the International Committee of the Red Cross, to whom I bid welcome, is also important in this respect and attests eloquently to the attention that the United Nations devotes to the protection of civilians in armed conflict.

Clearly, one of the ugliest aspects of contemporary conflicts concerns the fate of civilian populations. The point can never be overstated that nowadays it is civilians, principally women and children — not combatants — who are the primary victims of conflicts.

The international community at first appeared powerless to deal with these developments, because humanitarian law had primarily been designed to deal with conventional wars, which drew a very clear distinction between civilians and combatants. But times have changed, and today we can take stock of the efforts made by the United Nations over the past three years, with the adoption by the Security Council of the first resolution relating specifically to the protection of civilians in armed conflict.

The report of the Secretary-General, his third on this issue, clearly illustrates the progress that has been made. Among the accomplishments, we refer to the inclusion in the mandate of certain peacekeeping operations of elements relating to the protection of civilians, such as in Sierra Leone or the Democratic Republic of the Congo; to the concern, when new sanctions are decided upon, not to exacerbate the humanitarian situation; and to the campaign against the recruitment of child soldiers. This question, as members know, was the subject of particular effort on France's part and will, in the near future, be the topic of a specific debate.

It would be difficult to provide an exhaustive list of all the elements of the reports that are of particular importance. Allow me nevertheless to refer to a particular point that I believe has not been addressed from this perspective until now: the need to make all parties to conflicts — not only States, but armed groups as well — aware of the violations they commit against civilians, particularly with respect to restrictions on access to humanitarian assistance. It is indeed essential that humanitarian organizations have access to all populations, which may require direct contact with non-State armed groups. The overriding concern here must be the effective protection of the most vulnerable civilians, especially women and children.

I also wish to welcome the attention focused on the question of the illegal exploitation of natural resources in the areas of lawlessness created by armed conflicts, which has assumed alarming dimensions in recent years. These abuses, including the massive use

of forced labour — children in particular — must be halted.

We are now at a crossroads. Following a period in which the international community has become aware of the issue and mobilized itself — a mobilization that clearly must continue — we need to move forward and implement our objectives in a practical way. The roadmap proposed by the Secretary-General for the protection of civilians in armed conflict is a decisive contribution in that respect. If it is to be truly operational, we must specify the actors or institutions involved in each measure, establish priorities and draw up an indicative timetable. This work will have to be undertaken, of course, with the broadest possible cooperation within the United Nations system and, undoubtedly, beyond.

I wish to conclude my statement with a question. At the end of the report, a recent trend is cited that singularly complicates the efforts of the international community to ensure better protection of civilians in armed conflict. I refer to the participation of terrorist organizations in armed conflicts. Does the Secretary-General's roadmap take this development into account? What types of measures could be envisaged in the context of the specific issue of the protection of civilians?

The President (*spoke in Spanish*): I thank the representative of France for his kind words addressed to me.

Mr. Tidjani (Cameroon) (*spoke in French*): I wish at the outset to express my delegation's pleasure at seeing you, Madame, personally presiding over our meeting today, on the occasion of the anniversary of the adoption of the Universal Declaration of Human Rights. We sincerely welcome your presence as irrefutable proof of your dedication and that of your country to the development of humankind.

I also wish to thank Secretary-General Kofi Annan for his opening message earlier.

Allow me also to congratulate Mr. Kenzo Oshima, Under-Secretary-General for Humanitarian Affairs, and Mr. Angelo Gnaedinger, Director-General of the International Committee of the Red Cross, on the excellent quality of their briefings.

One lesson we can draw from their respective statements is that civilians are the most vulnerable sector in conflict situations. In certain cases, they are systematically tortured and killed, which explains why there are generally more deaths among civilians than in the ranks of combatants. In the absence of adequate protection, civilians are forced to flee and relocate, completely impoverished, leaving their property and, sometimes, family members behind. They are also the principal victims of landmines and other arms.

As the Secretary-General clearly stresses in his report:

> "As is now well known, civilians, rather than combatants, are the main casualties of conflicts today, with women and children constituting an unprecedented number of the victims. More than 2.5 million people have died directly as the result of conflict in the last decade, and over 10 times this number (31 million people) have been displaced and uprooted by conflict. This represents human suffering on an immense scale." (*S/2002/1300, para. 12*)

This observation precisely and succinctly illustrates the extent of the tragedy of civilians caught in armed conflict.

The international community has established a body of consistent international humanitarian law and human rights norms. We welcome the commendable efforts that have been made to implement those instruments, as well as the valuable work done by the International Committee of the Red Cross and other humanitarian organizations.

Mr. Gnaedinger rightly raised two questions earlier. He wondered whether it is the law that has not been adapted or whether it is the humanitarian organizations that are not up to the task. I can assure him that we have adapted the law, which is why it is in constant evolution. The humanitarian organizations are carrying out their work admirably and to our great satisfaction. The problem, as he pointed out, lies elsewhere. Today, armed conflict is quite different from conventional warfare and involves State and non-State actors who violate or deliberately ignore all of the relevant conventions, creating even more tragic, complex and unbearable situations. This is the challenge facing the international community today. It cannot be met without the utmost respect for existing law. Our task is to ensure that respect.

It is therefore with genuine satisfaction that the delegation of Cameroon welcomes the Secretary-

General's report. All of the recommendations it contains refer to strategies to be implemented in order to guarantee effective protection of civilians in armed conflict, which is a major prerequisite for any peace process. It refers first to the roadmap, a preliminary presentation of which is annexed to the report. As the report suggests, this document, which is rich in recommendations, warrants further study by the Office for the Coordination of Humanitarian Affairs, in cooperation with the competent United Nations bodies, in order to organize a coherent plan of action to be undertaken with, in Mr. Oshima's words, "specific responsibilities assigned and time frames". There are also measures on developing awareness on the part of Member States with regard to their obligations to protect civilians in armed conflict; the commitment to carry out coordinated negotiations on humanitarian operations; taking into account the ties between humanitarian aid, peace and development; the fight against the exploitation of conflicts for commercial purposes and the global threat of terrorism.

The Cameroon delegation supports these measures. It is convinced that, if the measures in question were respected and implemented by the parties in a conflict, they would make it possible to provide solutions to certain concerns, such as the problem of access to vulnerable populations, the question of the security of members of humanitarian organizations, the involvement of humanitarian agents and members of peacekeeping forces in the fortunately rare but unacceptable cases of sexual exploitation and violence.

Cameroon is part of a region confronted by many armed conflicts, and as a result has adopted several measures to protect civilians in armed conflict. My country, indeed, has joined the four Geneva Conventions of 1949, as well as other instruments related to human rights. We have signed the Statute leading to the establishment of the International Criminal Court, which we are getting ready to ratify.

In keeping with our tradition of hospitality, Cameroon welcomes thousands of refugees who come from several Central African countries and elsewhere, in close cooperation with the various competent United Nations bodies set up in Yaounde. With the assistance of certain friendly countries we provide all of the necessary aid to create the conditions for a normal life. Furthermore, Cameroon has taken and continues to take measures, particularly in the area of the protection of civilians through conflict prevention within the framework of preventive diplomacy of the United Nations Standing Advisory Committee on Security Questions in Central Africa. Thus, my country and several other countries from the Central African region have adopted a non-aggression pact and established the following structures: the early-warning mechanism of the countries of Central Africa, the Central African multinational force, the Defense and Security Commission and the Council for Peace and Security in Central Africa.

We are attempting as much as possible to ensure that the various activities organized by the Standing Advisory Committee to promote a culture of peace are not overshadowed by the conflicts that are currently affecting some countries in the subregion.

In conclusion, Cameroon would like to launch an appeal to all the parties engaged in the various armed conflicts to guarantee the security of civilians. They must also take adequate measures to guarantee access for humanitarian services to vulnerable populations. Finally I would like to pay a special tribute to the delegation of Norway for the central role it has played in the Council in the discussion of the question of the protection of civilians in armed conflict. We would like to thank them.

The President (*spoke in Spanish*): I would like to thank the representative of Cameroon for his kind words addressed to me.

Mr. Cunningham (United States): I want to join others in thanking you for joining us today. Your presence here helps us emphasize the importance of the work being done on this important subject. I would also like to thank the Secretary-General, the Director-General of the International Committee of the Red Cross and Under-Secretary-General for Humanitarian Affairs and Relief Coordinator Oshima for their statements and their comments and, more than that, their commitment.

I want to commend the Secretary-General, Under-Secretary-General Oshima and their colleagues. The report of 26 November is very helpful in organizing our ongoing efforts in pulling together a lot of information in a very good format.

My Government has long believed that the safeguarding of civilians from the devastating effects of armed conflict is at the very heart of the United

Nations Charter. Our fondest wish would be that this Council could protect from harm all those who are subject to aggression, insurgencies and Governments that prey on their own people. And while it cannot, there is much we can do to achieve that goal.

The Secretary-General and the Office for the Coordination of Humanitarian Affairs have given us some good direction for the way ahead. I think they have been quite successful in promoting a more consistent and systematic consideration of the many issues involved and of the steps this Council can take to promote the protection of civilians.

The general principles of providing humanitarian access to vulnerable populations, the separation of civilians and armed elements and the restoration of the rule of law, justice and reconciliation are all fundamental to the protection of civilians and are fully supported by the United States. These are important issues that we need to continue to discuss in the future. We support the idea of further developing a road map and the implementation of many of the objectives it calls for. Member States need to be involved in this process and help make such considerations part of the fabric of our work. Many of us, as we have seen in today's discussion, want to carry this work forward.

The United States reiterates its support for the Secretary-General's efforts to protect civilians in armed conflict. We encourage the Secretary-General and other key actors in the United Nations system to continue the dialogue on how United Nations organs can better work together to promote protection and to present country-specific recommendations for the Council's consideration.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): Allow me at the outset to express to you, Madame Foreign Minister, how delighted my delegation is to see you presiding over this important session, whose item under consideration is of utmost concern to the peoples of the world. Allow me also to thank the Secretary-General, Mr. Kofi Annan, for his rich statement to us at the beginning of this meeting. I cannot also fail to thank Mr. Oshima, Under-Secretary-General for presenting the Secretary-General's report. I should also like to thank the Director-General of the International Committee for the Red Cross (ICRC) for the comprehensive statement he made just now.

The decision by the Security Council to keep this item at the top of its agenda shows the great importance that the Council attaches to this issue, especially since civilians are the primary victims of today's conflicts. Unfortunately, women and children make up an unprecedented number of the victims of such conflicts.

Two and a half million people were directly killed in the conflicts in the past decade. About 31 million were either expelled or uprooted from their homes because of armed conflicts. This is a very wide circle of human misery.

The Middle East is a clear example in that regard. The latest period has witnessed more acts perpetrated against the defenseless Palestinian people. The Israeli forces of occupation have a record replete with criminal activities, with about 2,000 martyrs and thousands of wounded among the Palestinian civilian population in the last two years alone. This is a crime of genocide being perpetrated by Israel. Palestinians — children, women and the elderly — are being killed by military aircraft, tanks and missiles used by the Israeli army. We all have become aware of the killing of 10 Palestinian civilians at the end of last week, including two workers of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. Three United Nations personnel have been killed by Israel in the past fortnight alone. My delegation would like to thank the Secretary-General of the United Nations for his strong condemnation of such Israeli acts.

Under the pretext of fighting terrorism, Israel has also most heinously exploited the international consensus on combating terrorism established following 11 September to combat the just Palestinian cause. Israel continues its attempts to classify resistance to occupation and resistance in self-defence and in defence of land and dignity as terrorism, which runs counter to every norm of international and humanitarian law. Syria for many years has called upon the international community — and, indeed, has cooperated with it — to condemn terrorism in all its manifestations, particularly State terrorism. Paragraph 24 of the Secretary-General's report refers to the tragedy of the Palestinian people:

> "Ms. Catherine Bertini, the Secretary-General's Personal Humanitarian Envoy to the Occupied Territories, reported in August on the mounting humanitarian crisis, describing it as a crisis of access and mobility. She highlighted the impact on civilian populations of loss of access to

basic needs and services, including medical treatment and education, because of curfews and closures, while other services, such as food supplies and water, are blocked from reaching communities." (*S/2002/1300, para. 24*)

The Secretary-General has presented a series of reports — for which we are grateful — on violations of human rights in armed conflict so that United Nations bodies, including the Security Council, may further consider the issue. In his current report, he calls upon the Security Council to take steps to guarantee the protection of civilians in armed conflict. My delegation understands fully the compelling reasons for the recommendations contained in the Secretary-General's report. We are fully prepared to discuss the measures he has put forward, with a view to reaching agreement in the Council on them.

The issue of access to vulnerable populations is a primary challenge and a very complicated and multifaceted issue that involves a number of entities. Protection and assistance programmes serving millions of vulnerable people are sometimes abused. At times, they may be delayed or even rejected, producing destructive results. My delegation therefore highly appreciates the efforts made by the International Committee of the Red Cross (ICRC) to provide assistance and to reveal the negative consequences of the failure of assistance to reach the right people at the right time and place.

My delegation also notes the fact that the report of the Secretary-General has rightly focused on the particular suffering of children in armed conflict and on the great importance that the international community must attach to that situation and to the particular conditions of women and older persons in armed conflict.

The increasing cooperation between the various bodies, departments and agencies of the United Nations is of utmost importance in promoting the efforts of the Organization to protect civilians in armed conflict. In that regard, we welcome the current cooperation between the Department of Peacekeeping Operations, the Department of Political Affairs and the Office for the Coordination of Humanitarian Affairs.

Although half a century has passed since the adoption of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, and although most States are now party to that Convention, there is still a wide gap between the Convention's norms and their implementation in armed conflicts. In that regard, some States hide behind the pretext of particular circumstances to continue to act in ways that run counter to the provisions of the Convention. We believe that the international community has a special responsibility to condemn and end such actions. That requires that the international community quickly and seriously implement international instruments on the provision of legal and civilian protection, in accordance with international humanitarian law, and that it increase pressure in this regard. The delegation of the Syrian Arab Republic calls for justice and reconciliation in addressing the root causes of conflict, so as to be able to avoid resorting to violence.

The Secretary-General's report includes a number of recommendations and observations. We have read them very carefully, and believe that they deserve careful and in-depth consideration. Those who have spoken before me have highlighted the elements to which they believe the Security Council should give special consideration. In order to save time, it would not be useful to repeat them in my statement.

In conclusion, allow me to thank the President and her delegation most sincerely for the excellent preparations they have made for the Council's consideration of this item.

The President (*spoke in Spanish*): I thank the representative of Syria for his kind words addressed to me.

Ms. Lee (Singapore): At the outset, I would like to welcome the President to New York and to thank her for presiding over this high-level meeting on the protection of civilians in armed conflict, particularly on this special day celebrating world human rights. We also appreciate the time that the Secretary-General, the Under-Secretary-General for Humanitarian Affairs and the Director-General of the International Committee of the Red Cross (ICRC) have taken from their busy schedules to be with us today. We are also grateful to the Secretary-General for his very useful report, and to Mr. Oshima and the Director-General of the ICRC for the comprehensive briefings they have given us.

We found the Secretary-General's report — with its focus on the three key areas of humanitarian access, the separation of combatants from civilians and the rule of law, as well its recommendations on how to tackle those issues — to be a very useful document. We

particularly appreciate the identification of the three emerging challenges and the preview of the road map for the protection of civilians. From the briefing by Under-Secretary-General Oshima, we now have a clearer picture of the practical implementation of the road map and of the laudable efforts undertaken by the Office for the Coordination of Humanitarian Affairs (OCHA). What we have seen is a good start and we look forward to it being further refined.

In the First World War, nine soldiers died in battle, for every civilian death. But in the twenty-four conflicts currently taking place in the world, ten civilians die for every soldier who perishes. How do we explain this drastic reversal in the short space of less than a century? The answer is simply that we live in a world today where civilians have become the legitimate targets of violence. Parties in conflict turn to the civilian population as resources for waging further war, and men, women and children are characterized in stark binary terms.

How then, can we protect civilians from undue military violence or threats of violence? The United Nations, of course has always taken a key role on this issue. In this regard, the Aide Mémoire adopted by the Security Council in March 2002, in S/PRST/2002/6, is an important contribution by the Council. But as we have said many times in the past, the Council will not be judged by the amount of paper it produces, but by the impact of its decisions.

In this regard I would like to make three points. First, there needs to be less talk and more action. The Council has often been accused of not responding to situations which demand a fast and effective response. It has been said that while civilians perish in the field, we sit here in New York debating the issue. But the idea of humanitarian intervention is a complex issue, as ongoing debates have shown. Is there a right of intervention? If so, how and when should it be exercised? Who might authorize such an action? These questions have been debated *ad infinitum*, *ad nauseam*, and still, there is no agreement.

While that debate continues, what the Council can at least do now is to include a component on the plight of civilians in all of its relevant resolutions. The March 2002 Aide Mémoire is particularly important in this regard. The Council can use its provisions to assess whether current missions have been effective in protecting civilians or if we need to adjust the mandates. The Aide Mémoire is also a continuous reminder that we need to incorporate this aspect into new missions.

Like other speakers, we also feel that the seminar on the Mano River Union, held by the United Kingdom Council Presidency in July 2002, and the stop-taking that we made on the mandate of the United Nations Mission in Sierra Leone with regard to the protection of civilians, was a good first step. We should build on this, perhaps by setting up a structured mechanism to ensure that we also take stock of the other mission mandates periodically.

My second point relates to a familiar and often used phrase to the effect that prevention is better than cure. Clearly civilians would be in a far better position if there were no armed conflict at all. However, while this utopian world is beyond our grasp, there are certain factors that are generally acknowledged as root causes of conflict. Indeed, the European Commission has come up with a checklist of factors which include the legitimacy of the state, rule of law, sound economic management and the geopolitical situation. With such checklists, it is hoped that all United Nations bodies, together with regional organizations and national Governments, would be able to work together to nip potential conflicts in the bud.

At the same time, the Council should react proactively and act collectively to prevent conflict. Unfortunately, the culture of prevention has yet to take hold. Furthermore, the Council lacks a structured mechanism that could be implemented to deal with conflict prevention. In future, the Council needs to consider whether such a mechanism could be established. This would allow the Council to respond promptly when it receives reports of a potential conflict brewing.

My third and final point relates to the emerging challenges identified in the Secretary-General's reports. We support wholeheartedly the proposed actions that could be taken to combat sexual exploitation and the illegal exploitation of natural resources.

As for the issue of terrorism, we agree that it has wide ranging implications for the protection of civilians. Increasingly, civilians are not only the usual — if this word can be used in such an unhappy context — victims of terrorist attacks, some will also and unavoidably be the victims of pre-emptive and retaliatory actions. In this regard we welcome the

Secretary-General's intention to further study this issue and to formulate clear guidelines for future work for the protection of civilians in armed conflict, where terrorist organizations are involved.

We think the logical next step would be for the Aide Mémoire, which is a living document, to be revised, where relevant, to include inputs on all three emerging challenges. This could also be included in the roadmap once it is finalized. We fully agree with the Secretary-General's point in the statement he made earlier this morning, that what is now needed is practical action.

The President (*spoke in Spanish*): I thank the representative of Singapore for her kind words addressed to me.

Mr. Jingree (Mauritius): Let me first express my delegation's joy in seeing you, Madam Minister, preside over our deliberations today. Your presence is a testimony to the importance which you and your country attach to the Security Council and my delegation wishes to pay tribute to your very able team, led by the distinguished Ambassador Valdivieso, for the very positive contribution it has made in the work of the Council.

We also welcome Mr. Helgesen, Deputy Minister for Foreign Affairs of Norway, in today's meeting.

I wish to join other speakers in thanking the Secretary-General for his introductory message and for the very comprehensive report before us. Our thanks go also to Mr. Kenzo Oshima, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Co-ordinator, for introducing the report of the Secretary-General, and to the Director-General of the International Committee of the Red Cross (ICRC) for his presentation.

The question of protection of civilians in armed conflicts has taken on an altogether new dimension in the world today and constitutes a serious challenge to the international community. During conventional wars, civilians, especially women and children, enjoyed a certain measure of safety and protection in the sense that the scene of battle was confined to well known and defined areas and every effort was made to avoid civilian casualties, in accordance with international humanitarian laws. Such wars were mostly fought between State actors which, in one way or another, subscribed to international treaties.

In today's armed conflicts, which have become mostly intra-State conflicts, civilians not only lack any protection, they are in fact the first and very often direct victims of the fighting. In many cases, civilians are specifically used as targets to attract attention, while in other cases they are used as human shields to avoid attacks. Most of these conflicts are led by non-State actors, rebels and warlords who do not feel bound by any humanitarian treaty.

The recent terrorist attacks in New York, Washington, Bali and Kenya, which have aimed principally at causing the greatest loss of civilian lives, have shown that new instruments need to be devised to ensure the protection of civilians in these circumstances. In this context, we fully support the recommendations of the Secretary-General relating to the elaboration of an appropriate roadmap to address these issues. My delegation believes that priority should be given to the following areas.

It has been established that the proliferation and trafficking of small arms and light weapons represent a major cause which continue to fuel armed conflicts throughout the world, with their devastating effects on civilians. Likewise, the incomplete disarmament, demobilization and reintegration programmes in many regions, especially in those where there is great mobility of former combatants and rebels groups, continue to pose a serious threat, not only to civilians, but also to overall peace and stability. For example, numerous anti-personnel landmines in several countries, many of them in Africa, remain a serious danger to millions of innocent civilians, especially women and children.

In all these cases, it is imperative that we take a comprehensive and regional, if not a global approach towards addressing these issues. Unless we do so, conflicts will continue and civilians will continue to be affected. My delegation, therefore, urges the international community to devote more resources to such issues and elaborate concrete measures to address them.

The presence of armed groups and sometimes their blending with the civilian population result in situations where civilians become innocent targets of raids and reprisals by opposing factions or even by Government forces. Numerous civilian casualties have been caused by Israeli forces, for example, in their attempts to pursue suspected leaders of suicide bomb

attacks in the Middle East. In other places, such as in Democratic Republic of the Congo, the rebels mingle among the refugees. It is, therefore, important that those armed elements are separated from ordinary civilians. More efforts need to be made in the screening of refugees to ensure that rebels and other armed elements are not allowed into refugee camps. Since most refugee camps are located near the borders, such elements use those camps as their base both to benefit from refugee services and to carry out their rebel activities.

The situation of internally displaced persons during armed conflicts is also of great concern. Between 25 million and 30 million internally displaced persons, half of whom are children, have lost their homes owing to internal conflicts. Statistics show that the number of the world's internally displaced is larger now than it has been at any time in the past five years. Though the primary responsibility for protecting that group of civilians rests with Governments, the United Nations and other international agencies have a shared responsibility to protect and assist the internally displaced, in particular, during conflicts.

The problem of access by international aid workers to affected areas also needs particular attention. In many conflicts, safe and unhindered access to vulnerable civilian populations by relief workers is granted only sporadically, if at all. Access is often denied, and to make matters worse, aid workers themselves are attacked, kidnapped or harassed. My delegation unequivocally condemns such behaviour, which we consider totally unacceptable. We pay tribute to the scores of international aid workers, particularly those of the International Committee of the Red Cross (ICRC), whose Director-General's presence in the Chamber today we acknowledge, for their courage and dedication in bringing relief to affected civilian populations. It is imperative that armed groups, irrespective of the cause for which they are fighting, understand that they have to ensure the safety of civilians and provide unimpeded access to international aid workers. We, therefore, support the proposal that conditions for humanitarian access need to be included in all framework agreements signed between State and non-State actors.

Unarmed civilians, including children, are regularly being killed in cold blood during armed conflicts involving non-State actors. Such criminal acts cannot remain unpunished. The perpetrators of those heinous acts against innocent civilians must be brought to justice through either national or international courts. With the entry into force of the Rome Statute of the International Criminal Court (ICC), the perpetrators need to understand that they are no longer beyond the law. We are pleased to note that attacks intentionally directed against personnel involved in humanitarian assistance or peacekeeping missions have also been categorized as war crimes by the ICC Rome Statute and that the Court will be able to bring to justice those responsible for serious violations of humanitarian law.

Finally, we look forward to contributing constructively to the presidential statement that the representative of Colombia will soon make. Such an important issue should be kept high on the Council's agenda.

The President (*spoke in Spanish*): I thank the representative of Mauritius for his kind words addressed to me and to Ambassador Valdivieso and my delegation.

Mr. Wang Yingfan (China) (*spoke in Chinese*): At the outset, I wish to welcome the fact that you, Madam President, are personally presiding over today's meeting. I also wish to thank the Secretary-General for his report (S/2002/1300) and statement. I also wish to thank Under-Secretary-General Oshima and the Director-General of the International Committee of the Red Cross (ICRC), Mr. Gnaedinger, for their statements.

The Security Council has considered the question of the protection of civilians in armed conflict on many occasions. Security Council resolutions 1265 (1999) and 1296 (2000) and the aide-memoire adopted early this year have provided important guidelines. We commend the Secretary-General and the United Nations agencies for their efforts, including taking fully into account the impact on civilians when formulating and carrying out strategies and goals in the political, security and humanitarian fields, cooperating with regional organizations to widely publicize knowledge and experience in the area of protecting civilians and drawing up a road map covering work in the political, legal, humanitarian, disarmament and peacekeeping spheres. We encourage the United Nations agencies to continue to strengthen cooperation and coordination, further refine and improve the road map for protecting civilians, establish a relevant

timetable at an early date and clarify the division of responsibilities between the various agencies.

To thoroughly resolve the question of the protection of civilians in armed conflict, we must eliminate the root causes of conflict, eliminate poverty, promote economic development and national reconciliation and safeguard national stability. It also needs to be stressed that the responsibility for protecting civilians lies mainly with the Government of the country concerned and the parties to the conflict. The parties to the conflict must strictly abide by international humanitarian law, strictly distinguish between civilians and combatants, prevent injury to civilians and allow humanitarian assistance to reach vulnerable populations in an unimpeded manner. As far as the Security Council is concerned, if more can be accomplished in the prevention and the timely settlement of conflicts, that would be an important contribution to protecting civilians from being harmed in armed conflict.

I wish to point out that the restoration of peace and stability to conflict areas in Africa is an urgent task before the Security Council. Among those tasks is the work of disarmament, demobilization, repatriation, resettlement and reintegration. That is very important with regard to former combatants. The international community should increase its input and participation in that regard.

It must also be pointed out that, due to Israel's military actions, blockades and curfews, the humanitarian situation in the occupied Palestinian territories continues to deteriorate. Many basic needs of innocent Palestinian civilians, such as water, medicine and education, cannot be met. Israel should lift its blockades and curfews against the Palestinians and facilitate international humanitarian relief work as soon as possible. Israel and Palestine should respond to the efforts of the international community to achieve peace and emerge from the cycle of violence as soon as possible. Otherwise, we cannot even begin to speak of the problem of protecting innocent civilians, both Palestinian and Israeli.

Mr. Thomson (United Kingdom): I would like to begin by expressing my delegation's thanks to the Secretary-General and the Office for the Coordination of Humanitarian Affairs (OCHA) for producing the report (S/2002/1300) we are discussing today. We know that OCHA has worked hard to ensure a more systematic presentation of the issues.

We think that it is important that the latest report builds on the framework set out by the aide-memoire adopted unanimously by the Council in March (S/PRST/2002/6, annex). We need this common, agreed reference point as a basis for strengthening our own response and for providing direction to the various organizations required to fulfil their respective roles.

Given the subject under discussion, it is a particular pleasure to see Mr. Gnaedinger, the Director-General of the International Committee of the Red Cross, in the Chamber. And we warmly welcome your presence, Madam President, and that of the Deputy Foreign Minister of Norway.

The United Kingdom is happy to align itself with the European Union statement to be made later by Denmark. The subject under discussion is a high priority for the United Kingdom that we wish to see remain prominent on the Council's agenda. I would therefore like to make a number of points in a national capacity.

Most important, the United Kingdom agrees strongly with the point made by the Secretary-General in his introduction: we need to move now from policy to practical implementation. That point was underscored in Mr. Oshima's very helpful presentation. And it is why the United Kingdom sponsored the European workshop, one of the six regional workshops referred to in the report, in an effort to operationalize the aide-memoire.

The conclusions of that workshop, which was attended by a wide range of Government officials and United Nations and non-United Nations practitioners, closely reflect the report's key observations. Those conclusions included, first, that there is a need to get on and implement the aide-memoire more proactively, rather than seeking to refine the normative framework. As the aide-memoire is an agreed document of the Security Council, we need to continue to consider what needs to be done to promote it actively and how we can encourage others to do so. Secondly, we need to consider how to engage non-State actors in the protection of civilians. Thirdly, a clear idea is needed of what the protection needs are of civilians caught up in conflict and how protection is best provided, secured and sustained. On that basis, we must determine who is

responsible for providing that protection. The report brings those points out well.

From the report, we would like to highlight the following United Kingdom concerns and to pose the following associated questions. First, with respect to the issue of greater use of inclusive framework agreements, we agree that they can offer useful ways of ensuring access to vulnerable populations, especially where a lack of structured relations with non-State actors can impede access and stop relief efforts. The experience of the Sudan is instructive in that context. And we would like to know more about how the approach adopted in the Sudan has worked to enhance prospects for wider peace and security. With this in mind, can Mr. Oshima perhaps identify other country or regional situations currently on the agenda of the Council which could benefit from such framework agreements or similar approaches?

A further concern is the sending of multidisciplinary assessment teams to areas of emerging crisis. The report is very clear about the heightened threats to the security of civilians posed by the failure to separate civilians from armed elements, especially in refugee camps.

The United Kingdom has consistently called for work in the area of protection of civilians to be an integrated and cross-cutting issue in terms of United Nations handling. And multidisciplinary assessment teams make a good match with this requirement. We think that early feedback on how those teams have worked would be useful for informing the future response of both the Security Council and the wider United Nations system.

We also welcome the efforts of the Department of Peacekeeping Operations (DPKO) to develop comprehensive rule-of-law strategies in the context of promoting justice and reconciliation. But we would stress the need to incorporate existing United Nations efforts in this area of work so as to avoid duplication and to promote coherence and genuine cross-cutting integration within the system. So, we would like to ask how DPKO's efforts will fit in with the mandate of the United Nations Development Programme in this area and with the work of the Department of Political Affairs, for example.

We strongly support the emphasis in the report on core principles that represent the minimum standards of conduct for United Nations personnel. The Secretary-General's call for a zero-tolerance policy for those in breach of those standards, we think, demands nothing less. Both civilians and peacekeepers must be held accountable for violations. We want to see tougher action taken in this respect and want training programmes to continue to emphasize the importance that the Council attaches to it. So, the United Kingdom will continue to support DPKO's Best Practices Unit in further developing this issue, and we will work to ensure that our funding of both the United Nations and non-United Nations-agency relief work reflects the importance of our concerns in this area.

We also need to consider how the protection of civilians agenda can be used as a framework which can link other, related issues on the agenda of the Security Council, such as those dealt with in Security Council resolution 1325 (2000) on women, peace and security and resolution 1379 (2001) on children affected by armed conflict. The report touches on this issue but perhaps does not go into enough detail on how we can encourage a more integrated approach in dealing with these issues. I would like to ask Mr. Oshima how we can improve our work in this respect.

A further United Kingdom concern is to underline the obligation of Governments to respect and observe international humanitarian and human rights law as the basis for protecting civilians. Mr. Gnaedinger spoke eloquently on this. Failure to do so will jeopardize efforts aimed at peace and long-term security and development. The report makes those links very clear. Governments need to respect those obligations in the context of ensuring the safety and security of United Nations personnel. The killings of United Nations relief workers are an affront to the Geneva Conventions and to international humanitarian law.

We need to develop an accountability structure that rewards a proactive approach to protection issues. With this in mind, we welcome the efforts of the South African Government to raise the profile of the issue within the African Union. The New Partnership for Africa's Development is a good basis for this, we think. Broad-based economic growth and gains from development will be lost for many Africans if protection of civilians issues are not dealt with first in the context of conflict prevention measures. We hope the findings from the recent Johannesburg and other regional workshops can feed into that strategy.

My delegation thinks that the Security Council also needs to consider how it can be more proactive in enhancing protection measures. We have already committed ourselves as a Council to doing this, as a scan of the language contained in Security Council resolution 1296 (2000) makes clear. We need to keep the protection of civilians in mind right across the spread of countries already on our agenda. We also need to encourage the Secretary-General's use of Article 99 of the Charter in this respect.

While welcoming the recent strengthening of the United Nations Organization Mission in the Democratic Republic of the Congo, the United Kingdom is increasingly concerned about the threats to the protection of civilians in the Ituri region of the Democratic Republic of the Congo, and also in Burundi.

We need to promote the use of the aide-memoire as a living document, updated on a case-by-case basis, as we agreed in our discussion on 15 March this year, and as set out in the presidential statement (S/PRST/2002/6). That was the intention of our one-day workshop, held during the British presidency in July to highlight how the Department of Peacekeeping Operations and OCHA were working in the context of the drawdown of the United Nations Mission in Sierra Leone. We are glad to read in the report that that was a useful event.

We need to ensure that we develop systematic ways of dealing with the issues surrounding the protection of civilians. As the July workshop outlined, the Department of Peacekeeping Operations, working with United Nations partners, has a vital role in securing protection measures. The Special Committee on Peacekeeping Operations should be encouraged to use the aide-memoire in its deliberations. We must also ensure, we believe, that the terms of reference provided to Special Representatives of the Secretary-General take protection of civilians issues fully into account.

A final concern is the link between the aide-memoire and the road map, which we still find a little unclear. With respect to the road map, when can we expect roles and responsibilities to be clarified and agreed? And how will the road map and the aide-memoire fit together?

In closing, the United Kingdom would like to pay tribute to the efforts of the Governments of Norway and of Canada in elevating the profile of this subject on our agenda. There is no doubt that their efforts have resulted in raising our awareness of the challenges surrounding the issue and of the cost to peace and security if we ignore it.

We look forward to further updates from OCHA and the Secretary-General on this subject and would be happy with the timings recommended by Mr. Oshima.

The President (*spoke in Spanish*): I thank the representative of the United Kingdom for the kind words he addressed to me.

Mr. Karev (Russian Federation) (*spoke in Russian*): First allow me, Madam, to say how delighted we are to see you presiding over the Council as it discusses such an important issue: the protection of civilians in armed conflict. We would also like to express our gratitude to Secretary-General Kofi Annan, to Under-Secretary-General Oshima and to the Director-General of the International Committee of the Red Cross, Mr. Gnaedinger, for their important reports.

The protection of civilians in armed conflict continues to remain at the centre of the international community's attention, and there is good reason for this. Despite the fact that over the last half century a multitude of international instruments on human rights and humanitarian law have been adopted, in times of conflict completely innocent civilians continue to suffer, including children, women, the elderly and refugees, as well as humanitarian personnel who are providing assistance to them.

The unsatisfactory situation regarding the protection of civilians requires ongoing coordinated measures at the global, regional and national levels. We welcome the Secretary-General's report on this item (S/2002/1300), which seeks to provide a comprehensive analysis of the reasons for the violations of norms of international humanitarian law during armed conflict and to provide recommendations to increase the protection of civilians.

Russia is pleased at the progress that has been made over the past 18 months in enhancing the effectiveness of measures in this area, in particular the analysis of changing trends and, thus, of new conditions for the protection of civilians in armed conflict.

Many of the Secretary-General's proposals are in keeping with Russia's position. I refer to providing additional protection for vulnerable populations,

ensuring access to humanitarian assistance and prosecuting those responsible for crimes against international law, including through the International Criminal Court (ICC). We agree with the Secretary-General's view that the upsurge in terrorism is confronting us with new challenges with respect to activities that seek to protect civilians. It is the duty of each State to wage a relentless campaign against terrorism, whose very essence erodes the status of civilian populations.

Russia is also very concerned about cases of sexual exploitation and violence and trafficking in women and girls perpetrated by humanitarian personnel and peacekeepers. In that connection, we support the measures formulated by the United Nations to increase protection and care for vulnerable persons in situations of humanitarian crisis and conflict, in particular the adoption of core principles for the conduct of United Nations humanitarian workers.

However, we believe that the eradication of war from societies and the prevention and halting of conflicts are of crucial importance for the protection of civilians. Effective, commensurate international reaction is required for any crisis, including humanitarian crisis. This reaction should be based on the norms of international law and the provisions of the United Nations Charter. That implies that the Security Council bears primary responsibility in questions relating to the maintenance of international peace, that States must scrupulously comply with the rules of international conduct and that all parties to an armed conflict must comply with the norms and principles of international law, including international humanitarian law.

It is primarily States and the parties to an armed conflict that are required to protect civilians. However, international efforts, including efforts by the General Assembly, the Security Council, the Economic and Social Council and other United Nations structures may have an additional positive impact on accomplishing this task. It is important, however, that such efforts be properly coordinated so that in protecting civilians — and, indeed, on other issues — there is a strict division of labour, in accordance with the United Nations Charter and other international legal instruments.

In order to enhance the effectiveness of the Security Council's work in this area, and in the light of the Secretary-General's recommendations, we need to take fuller account of the nature of each specific armed conflict and, on that basis, to take action to protect civilians.

The mechanism for interaction between the Council and the representatives of the relevant regional and subregional organizations requires further improvement so that they can pool their capacities in resolving conflicts and protecting civilians. That cooperation should be based on the provisions of the Charter, in particular Chapter VIII, while respecting the prerogatives and the authority of the Security Council.

There are many other ways to protect civilians. These include improving the national legislation of States; the dissemination by States of knowledge about international humanitarian law; and strict compliance with the provisions of the Charter, the relevant decisions of the Security Council, human rights standards and the norms and principles of international law. States Members of the Organization, and the Secretary-General, should act more promptly in conveying appropriate information to the Council about situations that may pose a threat to the maintenance of international peace and security, including instances of the deliberate denial of safe, unimpeded access by humanitarian personnel to civilians or by the humanitarian assistance provided for them, as well as about other gross violations of the rights of civilians, if these pose a threat to international peace and security.

We hope that today's discussion will help to improve the work of the Security Council and that of other United Nations structures in protecting civilians and that it will give additional impetus to this endeavour.

The President (*spoke in Spanish*): I thank the representative of the Russian Federation for the kind words he addressed to me.

In view of the lateness of the hour, and with the consent of Council members, I will now suspend the meeting until 3 p.m.

The meeting was suspended at 1.05 p.m.